

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

**SANDRA LEE,  
PLAINTIFF,**

**v.**

**RUBIN LUBLIN TN, PLLC, and  
BANK OF AMERICA, NA,  
DEFENDANTS.**

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)  
) **Case No. 17-cv-00500**  
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**MOTION FOR EXTENSION OF TIME TO RESPOND TO DEFENDANT'S  
MOTION TO DISMISS**

Plaintiff, Sandra Lee, by and through counsel, hereby moves this Court for an extension to respond to the Defendants' Motion to Dismiss until the Case Management Conference set for May 8, 2017, or in the alternative, twenty (20) additional days to respond to the motion. In support of this request Ms. Lee would state as follows:

1. This matter was removed from Tennessee Circuit Court on March 9, 2017;
2. The next day on March 16, the Defendant filed its Motion to Dismiss;
3. Inadvertently, counsel docketed the receipt of said motion on Monday, March 20, 2017 the date ECF notice was opened after being out of the office most of March 16, 2017 and all of March 17, 2017. Accordingly, Counsel believed his motion was timely until corrected by Defendants' counsel;
4. The Court's Case Management Conference is scheduled for May 8, 2017;
5. Since the case was filed in state court the plaintiff has identified an additional party which must be joined pursuant to Fed R. Civ. Pro. 19 and/or 20. Ms. Lee intends to seek leave prior to the Case Management Conference for the same in the next few days;
6. Counsel has had trouble scheduling time to meet with Ms. Lee and prays for a short extension of time to respond to the Motion to Dismiss;

7. The Defendants will not be prejudiced by this delay as this case removed from state court three (3) weeks ago; and,

8. Counsel conferred with Defendants' counsel and they object to the extension.

Therefore Ms. Lee prays:

1. That the Court grant him an extension to respond to the Defendants' Motion to Dismiss until the Case Management Conference set for May 8, 2017, or in the alternative, twenty (20) additional days to respond to the motion to respond; and,

2. For whatever relief is equitable and just.

Respectfully submitted:

\_\_\_\_/s/\_\_\_\_ James D. R. Roberts, Jr.\_\_\_\_  
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Attorneys for Sandra Lee

#### **CERTIFICATE OF SERVICE**

I hereby certify that a true and accurate copy of the forgoing has been sent by ECF to:

Ms. Heather Wright / Mr. Brian Epling  
Bradly Arant  
1600 Division Street, Suite 700  
Nashville, Tennessee 37203-0025

H. Buckley Cole  
HALL BOOTH SMITH P.C.  
Fifth Third Center

424 Church Street, Suite 2950  
Nashville, Tennessee 37219

On this the 31<sup>st</sup> day of March 2017.

\_\_\_\_/s/\_\_\_\_James D. R. Roberts, Jr.\_\_\_\_  
JAMES D. R. ROBERTS, JR.